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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,700	03/07/2002	Sheila Hamilton	7407879-052490	9422
7590	03/29/2004		EXAMINER CHIN, RANDALL E	
David S Resnick Nixon Peabody 101 Federal Street Boston, MA 02110			ART UNIT 1744	PAPER NUMBER

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/070,700

Applicant(s)

HAMILTON ET AL.

Examiner

Randall Chin

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 8 and 9 is/are rejected.
- 7) ☒ Claim(s) 4 and 7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 030702.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: On p.2, line 7, the recitation "...systems. System can malfunction." should be corrected. On p.2, line 29, it is suggested to clarify the phrase "the or each cleaning roller" for grammatical reasons. On p.5, line 25, it appears "lower cleaning roller 24B" should read "lower cleaning roller 23B--".

Appropriate correction is required.

3. In claim 1, it is suggested to clarify that the "web cleaning means" in the preamble is related to the "first cleaning roller" on line 4 in the body of the claim.

In claim 5, line 2, it is suggested to amend the phrase "the or each" for grammatical reasons.

In claim 6, it is suggested to clarify what "the several rollers" are on line 2 for clarity.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

5. Claims 1-3, 5, 6, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by EPA 0 214 741 (hereinafter EPA '741).

The EPA '741 reference discloses with respect to claim 1 a “web guidance system” which incorporates web cleaning means, the system (Fig. 3) comprising at least one “guiding roller” 20 controllable to effect guiding of the web 4, and at least a first cleaning roller 10 having an outer surface coated with a material having a degree of tackiness capable of removing particulates from a surface of the web (p.3, lines 31-34). It should be noted that sheet article 4 is being considered a “web”, however, such “web” has never been positively claimed and therefore has not been accorded patentable weight. EPA '741 recites that roller 20 can be driven by an electric motor in conjunction with control panel 9 to rotate roller 20 and is therefore considered “controllable” in a sense. Clearly, roller 20 inherently would serve to “guide” web 4 to an extent.

As for claims 2 and 3, roller 20 (“guiding roller”) also serves as a cleaning roller (p.3, lines 31-34) and therefore is a “second cleaning roller” having an outer tacky surface for removing particulates from the web 4.

As for claim 5, each cleaning roller 10, 20 is provided with a respective backup roller 12, 22 arranged to engage the cleaning rollers 10, 20 and having a surface coated with a material having a degree of tackiness greater than that of each cleaning roller for removing particulates from the cleaning rollers (p.4, lines 6-16).

As for claim 6, the rollers are mounted for rotation about parallel roller rotation axes in a common casing or frame 1 (Fig. 1). As for the recitation "the frame being rotatable about a frame rotation axis which is perpendicular to said roller rotation axes", such recitation only requires the ability to so perform and is not deemed to constitute a positive limitation in any patentable sense. In other words, the entire casing or frame 1 is "rotatable" manually, if so desired, about a frame rotation axis which is perpendicular to said roller rotation axes.

As for claim 8, the cleaning takes place at the "upstream" (left set of rollers 10, 20 in Fig. 3) side of the system. Note input station is 2 and output station is 3 in Fig. 3.

As for claim 9, the cleaning takes also can take place at the "downstream" (right set of rollers 11, 21 in Fig. 3) side of the system. Note input station is 2 and output station is 3 in Fig. 3.

Allowable Subject Matter

6. Claims 4 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Lindsay, Wieloch, and Korbonski are each pertinent to tacky roller configurations for cleaning debris off "webs".

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8. Any inquiry concerning this communication or earlier communication from the Examiner should be directed to Randall Chin whose telephone number is (571) 272-1270. The Examiner can normally be reached on Monday through Thursday and every other Friday.

If attempts to reach the Examiner are unsuccessful, the Examiner's supervisor, Robert Warden, can be reached at (571) 272-1281. The number for Technology Center 1700 is (571) 272-1700.

The central fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



R. Chin



Randall Chin
Primary Examiner
Art Unit 1744